



CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development

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Public Hearing Date:	July 13, 2010
Land Use Action Date:	September 21, 2010
Board of Aldermen Action Date:	October 4, 2010
90-Day Expiration Date:	October 11, 2010

DATE: July 9, 2010

TO: Board of Aldermen

FROM: Candace Havens, Interim Director of Planning and Development
Alexandra Ananth, Senior Planner

SUBJECT: **Petition #176-10, ANN & JOHN CAUFIELD** for a SPECIAL PERMIT/SITE PLAN APPROVAL to add a shed dormer wider than 50% of the length of the exterior wall of the story next below on the rear of an existing single-family residence at **37 HAGEN ROAD**, Ward 8, Newton Centre, on land known as Sec 81, Blk 42, Lot 3, containing approx 8,050 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15(t)(1) and (3) of the City of Newton Rev Zoning Ord, 2007.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.

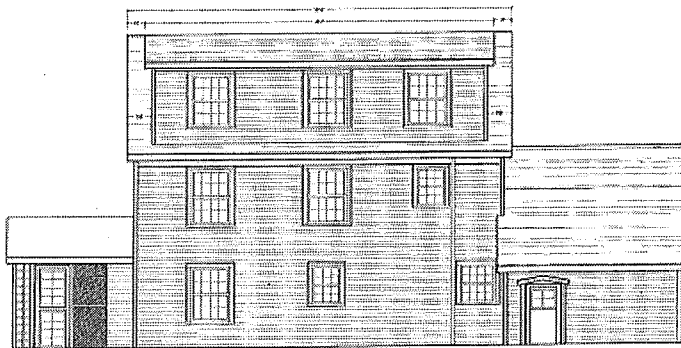


EXECUTIVE SUMMARY

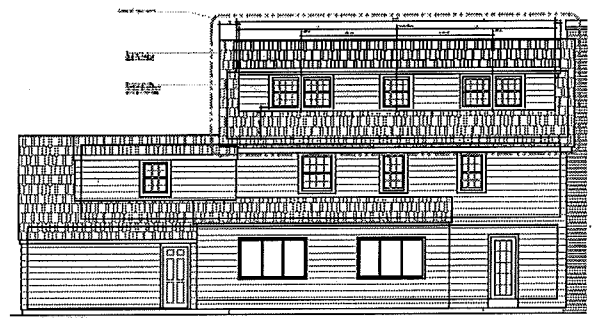
The subject property consists of an 8,050 sq. ft. lot currently improved with a two-story single-family colonial residence circa 1937. The petitioners need to replace the roof and would like to add a shed dormer on the rear façade in order to leave open the option to finish the attic at a later date. Although there is an existing small dormer on this façade already, the petitioners are proposing to significantly increase the size and scale of the dormer. The size of the proposed new dormer is wider than 50% of the length of the exterior wall of the story next below, and the side walls of the dormer are less than three feet in from the vertical edge of the building end wall of the floor below. Per Section 30-15(t)(a)&(c) of the Zoning Ordinance, in order to construct a dormer of this size, the petitioners must obtain a special permit from the Board of Aldermen.

The proposed dormer allows for an expanded living area with no changes to the footprint of the existing structure. The Planning Department notes that the proposed attic will not be more than 2/3 of the area of the story next below, and will remain a half story. *The Planning Department is supportive of the concept of a vertical addition rather than an expansion of the footprint; however, the dormer would be more compliant with the dormer ordinance with either a longer roof overhang (skirt) between the proposed dormer and the floor below, or the usual three-foot inset from the floor below.* The petitioners are proposing no other site changes at this time.

For comparison purposes, an elevation of a recently approved dormer with an appropriate skirt is shown next to the proposed dormer design.



*Proposed rear elevation
37 Hagen Rd.*



*Sample elevation showing
appropriate skirt*

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When considering this request, the Board should consider whether the proposed dormer would be consistent with and not in derogation of the size, scale and design of other structures in the surrounding neighborhood.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The property is located on Hagen Road, just south of Boylston Street (Route 9). It is located within a Single Residence 3 District where single-family residences on small lots characterize the neighborhood. The majority of residences were built around 1940, and most of the lots are between 6,000 and 9,500 sq. ft. Colonial architecture dominates the neighborhood, although a variety of early twentieth century architectural styles also are present.

B. Site

The 8,050 sq. ft. site is relatively level and is of average size for the neighborhood.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

No changes to the use of the single-family residence are proposed.

B. Building and Site Design

The existing house is a two-story wood-shingled residence circa 1937 with a pitched roof and attached garage. The petitioners need to replace the existing roof and would like to extend and enlarge an existing dormer on the rear façade in order to leave open the option to finish the attic at a later date.

The proposed extended dormer is well set back from the rear property line and there is sufficient landscaping along the rear property line to sufficiently screen the extended dormer from abutting residences. However, the mass of the building is accentuated by lack of a visual break in the façade. *Although the Planning Department is supportive of the concept of a vertical addition rather than an expansion of the footprint, the dormer would be more compliant with the dormer ordinance with either a longer roof overhang between the proposed dormer and the floor below, or the usual three-foot inset from the floor below, should headroom allow.*

C. Parking and Circulation

The petitioners are not altering the curb cut or driveway in any way.

D. Landscape Screening

The petitioners did not submit a landscape plan, nor was one required.

IV. TECHNICAL REVIEW

A. Technical Considerations (Section 30-15). The Zoning Review Memorandum, dated June 7, 2010 (*SEE ATTACHMENT "A"*), provides an analysis of the proposal with regards to zoning. The petitioners must seek a waiver from 30-15(t)(a) and (3) to allow for a dormer wider than 50% of the exterior wall below and to allow for the side wall of the dormer to be closer than three feet from the intersection of the roof and the main building end wall.

B. Newton Historical Commission Demolition Review. The Senior Preservation Planner reviewed and approved the proposed demolition to the roof administratively.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum the petitioners are seeking the following approvals for relief:

- Section 30-15(t)(a)&(c) to allow for a dormer wider than 50% of the exterior wall below and closer than three feet from the intersection of the roof and the main building end wall
- Section 30-23, for site plan approval
- Section 30-24, for approval of special permit

VI. PETITIONERS' RESPONSIBILITIES

Should headroom allow, the petitioners should consider revising the proposed dormer with either a longer roof overhang between the proposed dormer and the floor below, or meeting the three foot setback from the floor below in order to make the proposed dormer more compliant with the intent of the dormer ordinance.

ATTACHMENTS

ATTACHMENT A: ZONING REVIEW MEMORANDUM DATED JUNE 7, 2010

ATTACHMENT B: ZONING MAP


ATTACHMENT C: LAND USE MAP

ATTACHMENT D: DRAFT BOARD ORDER

Zoning Review Memorandum

Dt: June 7, 2010

To: John Lojek, Commissioner of Inspectional Services

Fr: Eve Tapper, Chief Zoning Code Official 
Candace Havens, Interim Director of Planning and Development

Cc: John and Ann Caufield, property owners
Ouida Young, Associate City Solicitor

RE: Request to allow a large shed dormer.

Applicant: John and Ann Caufield**Site:** 37 Hagen Road**SBL:** Section 81, Block 42, Lot 3**Zoning:** SR-3**Lot Area:** 8,050 square feet**Current use:** Single-family residence**Proposed use:** Single-family residence**Background:**

The subject property consists of a 8,050 square foot lot currently improved with a single-family residence. The applicants need to replace the roof and would like to add a dormer onto the new roof in order to leave open the option to finish the attic at a later date. The following review is based on plans and materials submitted to date as noted below.

Plans and materials reviewed:

- o "Mortgage Inspection Plan, 37 Hagen Road, Newton, MA," signed and stamped by John S. Lauretani, Professional Land Surveyor, dated 1990 (**no current survey was submitted**)
- o Architectural Drawings "Caufield Residence, 37 Hagen Road, Newton, MA, Proposed Dormer Alteration" all dated May 8, 2010, neither signed nor stamped by a licensed professional, as follows:
 - "Existing Second Floor Plan"
 - "Wall Framing Plan"
 - "Dormer Roof Framing Plan"
 - "Rear Elevation"
 - "Left Side Elevation"
 - "Right Side Elevation"
 - "Building Section"

Administrative determinations:

1. The proposed renovation includes adding a shed dormer onto the rear of the house to potentially increase living space in the existing attic. The size of the dormer as shown on the submitted plans is wider than 50% of the length of the exterior wall of the story next below. Per Section 30-15(t)(1) of the Zoning Ordinance, in order to construct a dormer of this size, the applicant must obtain a special permit from the Board of Aldermen.

2. Section 30-15(t)(3) of the Zoning Ordinance stipulates that any dormer shall not be closer than three feet from the vertical plane of the intersection of the roof and the main building end wall nearest the dormer. This dimension for the proposed dormer is only 18 inches on each side of the dormer. The proponents must obtain a special permit from the Board of Aldermen to construct the dormer as proposed.

3. See "Zoning Relief Summary" below:

Zoning Relief Summary		
Ordinance		Action Required
	Building	
§30-15(t)(1) and (3)	Allow a dormer wider than 50% of the exterior wall below and less than three feet edge of the roof	SP per §30-24

Zoning Map

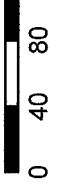
37 Hagen Rd.

Legend	
	37 Hagen Rd.
	Building Outlines
	Single Res. 1
	Single Res. 2
	Single Res. 3
	Business 1
	Business 2
	Business 4
	Business 5
	Limited Manufacturing
	Manufacturing
	Multi-Res. 1
	Multi-Res. 2
	Multi-Res. 3
	Multi-Res. 4
	Mixed Use 1
	Mixed Use 2
	OS/Rec.
	Public Use

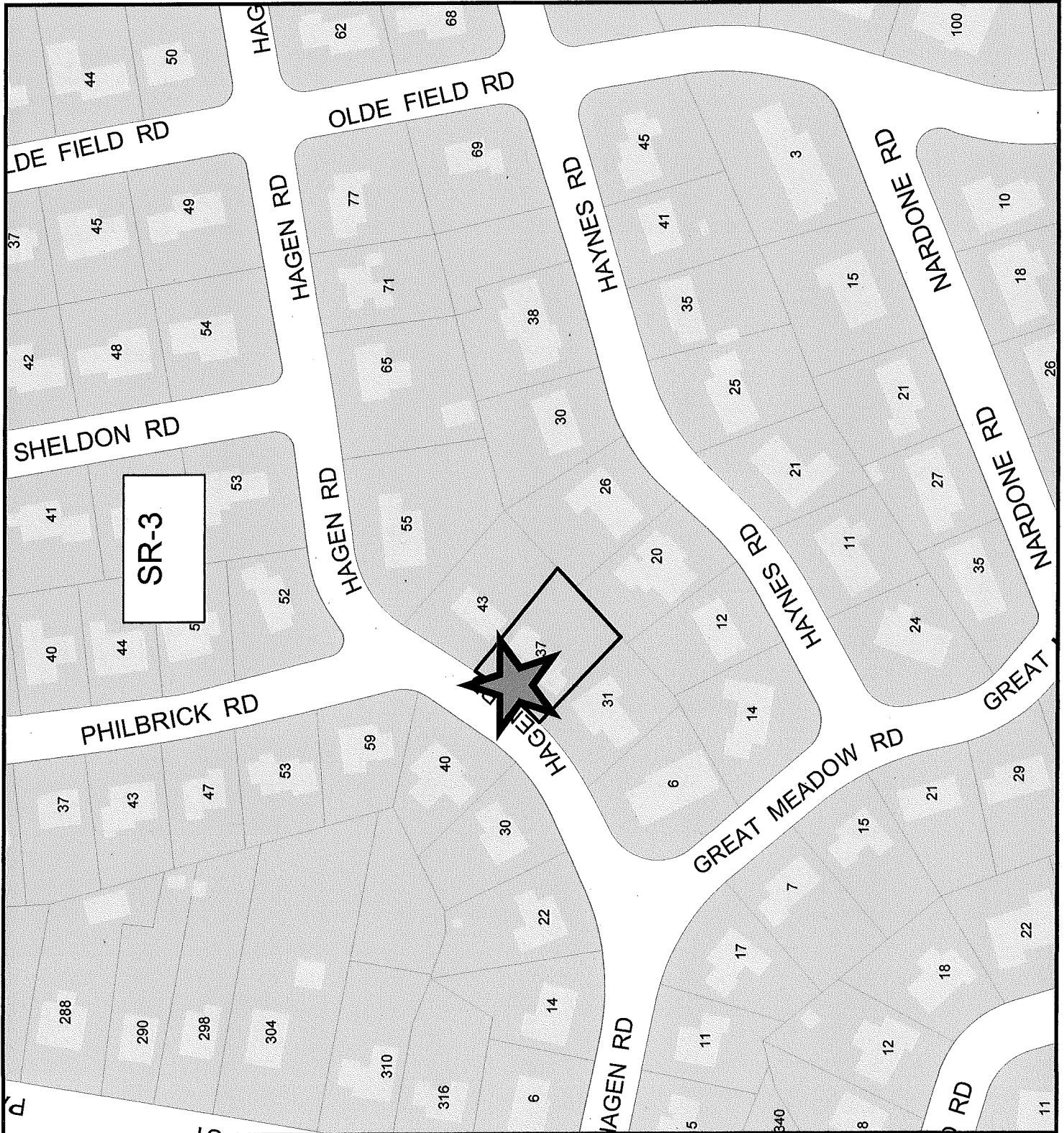


ATTACHMENT B

The information on this map is for informational purposes only. It is not intended to be used for any legal or financial purpose. City departments may approve applications based on the information provided.

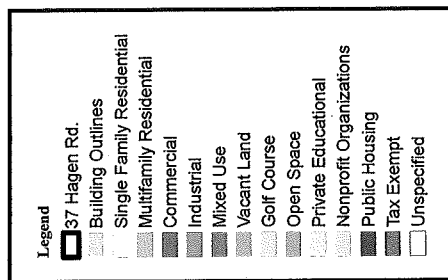


MAP DATE: Jul



Land Use Map

37 Hagen Rd.

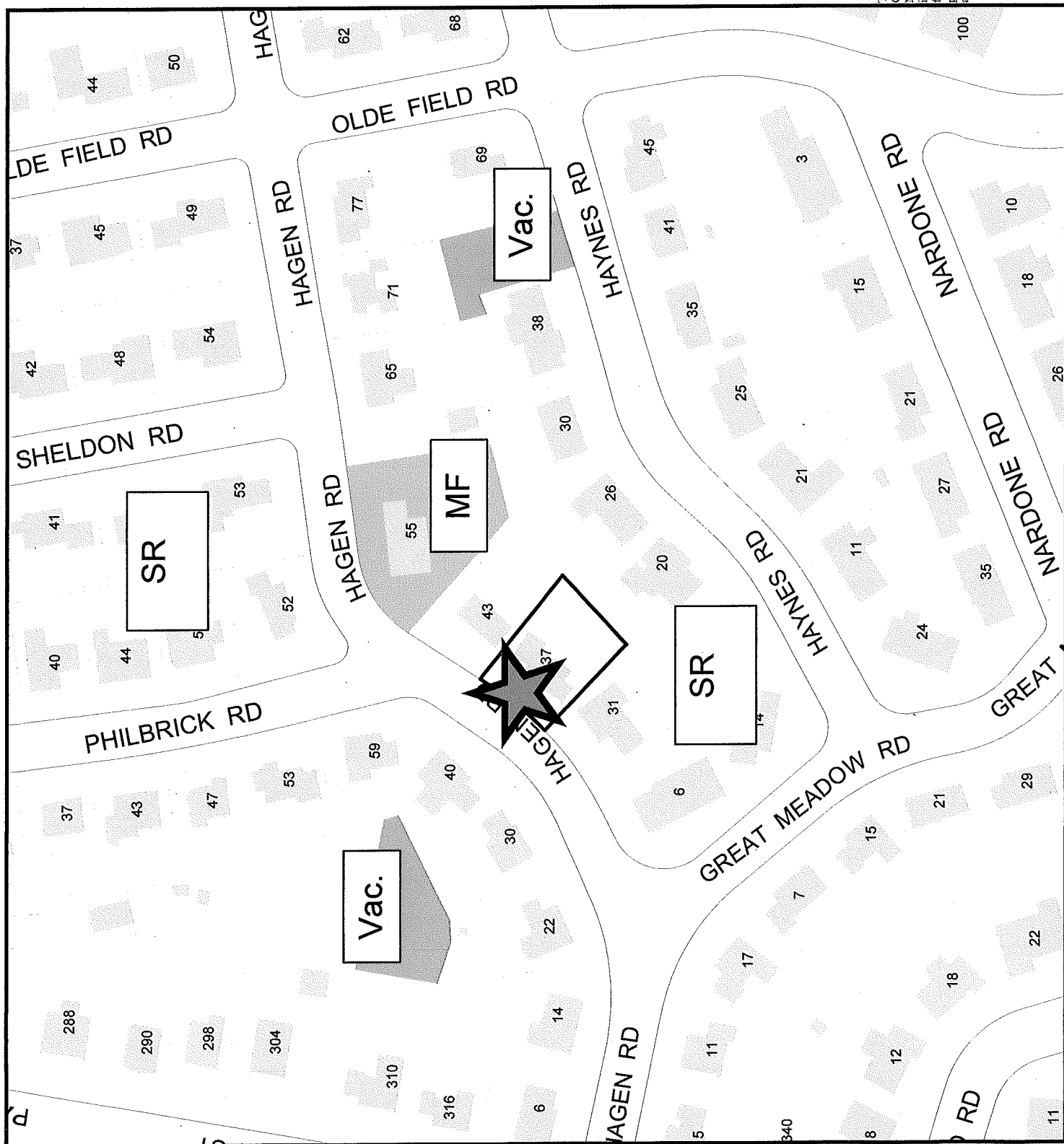


ATTACHMENT C

The information on this map is derived from the City of Newton Geographic Information System. The City of Newton cannot guarantee the accuracy of the information. Each user of this map is responsible for determining its suitability for their purpose. City departments may not approve applications based on this map.



MAP DATE: Jul



DRAFT
#176-10

CITY OF NEWTON
IN BOARD OF ALDERMEN
August 9, 2010

ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow for an oversized dormer, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman Ted Hess-Mahan:

1. The proposed dormer addition to the rear façade of the existing single family structure will be consistent with and not in derogation of the size, scale and design of other structures in the surrounding neighborhood:
 - a. The proposed attic will not be more than 2/3rds the area of the story next below and will remain a half story.
 - b. The proposed dormer will allow for a roofline overhang so as to avoid the appearance of an uninterrupted wall plane from the floor below.
 - c. The proposed dormer allows for an expanded living area with no changes to the footprint of the existing structure.

PETITION NUMBER: #176-10

PETITIONER: Ann & John Caufield

LOCATION: 37 Hagen Rd, Section 81, Block 42, Lot 3 containing approximately 8,050 sq. ft. of land

OWNER: Ann & John Caufield

ADDRESS OF OWNER: 37 Hagen Rd, Newton, MA

TO BE USED FOR: future living space in the attic

CONSTRUCTION: Wood frame, shingle siding, and asphalt shingle roof

EXPLANATORY NOTES: §30-15(t)(a)&(c) to allow for a dormer wider than 50% of the exterior wall below and closer than three feet from the

intersection of the roof and the main building end wall;
§30-23 for site plan approval; and §30-24(d) for special
permit approval

ZONING: Single Residence 3 District

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - o To be inserted
2. No building permit shall be issued pursuant to this special permit/site plan approval until the petitioner has:
 - a. recorded a certified copy of this board order for the approved special permit/site plan with the Registry of Deeds for the Southern District of Middlesex County.
 - b. filed a copy of such recorded board order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
3. No occupancy permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
 - a. filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or engineer certifying compliance with Condition #1.
 - b. submitted to the Department of Inspectional Services, and the Department of Planning and Development a final as-built survey plan in digital format.